

JAN 11 2007

Appln. No. 10/029,326

Attorney Docket No. 10541-282

II. Remarks

In response to the final Office Action mailed November 15, 2006, kindly enter the foregoing amendment and consider the following remarks. Pursuant to 37 CFR §1.112, Applicant requests reconsideration of each and every ground of rejection set forth in the Office Action.

The Office Action and the references cited therein have been carefully considered. Claims 1, 7, 11, 15, 21 and 22 have been amended and claims 25 and 26 have been cancelled. Thus claims 1-24 are pending and are at issue herein. In view of the following remarks, favorable reconsideration of this application is requested.

DECLARATION UNDER 37 CFR 1.131

The declaration of Gregory Hamel has not been entered. It was asserted in the Office Action that, among other things, there is currently insufficient evidence of due diligence from the time the invention was conceived to the time that the application was filed, or to the time of a reduction and practice should an actual reduction of practice be shown. At this time, the Applicant respectfully submits that all of the claims are in condition for allowance, and therefore have not submitted any supplemental declarations to address the Office Action, as they are not believed to be need at this time. However, Applicant reserves the right to supplement the declaration of Gregory Hamel and otherwise respond and/or make the requisite showings in order to swear behind the Janik and Morohashi references.

CLAIM OJECTIONS

Claims 7, 21 and 22 stand objected to because of various informalities. The Applicant has amended these claims to address the noted informalities. Favorable reconsideration is respectfully requested.

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CLAIM REJECTIONS UNDER 35 USC §§ 102 AND 103

Claims 1-6, 23 and 24 stand rejected under 35 U.S.C. §102(e) as being anticipated by the Morohashi reference. Claim 9 stands rejected under 35 U.S.C. §103(a) as being unpatentable over the Morohashi reference in view of the Examiner's official notice. Claims 7, 8 and 10-12 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over the Morohashi reference in view of the Janik reference.

Claims 25 and 26 merely stand rejected as being dependent upon an independent claim that has been rejected. Accordingly, Applicant has amended independent claims 1, 11 and 15 to include the subject matter of dependent claims 25 and 26. Essentially, claims 25 and 26 have been rewritten into independent format, thereby overcoming the only basis given for rejecting these claims.

Additionally, all of the reasons given in prior responses to the Office Actions are repeated again here.

For these reasons, favorable consideration of independent claims 1, 11 and 15, as well as their dependent claims, is respectfully requested.

CONCLUSION

In view of the preceding amendments and remarks, the Applicant respectfully submits that the specification is in order and that all of the claims are now in condition for allowance. If the Examiner believes that personal contact would be advantageous to the disposition of this case, Applicant respectfully requests that the Examiner contact the Attorney of the Applicant at the earliest convenience of the Examiner.

1-11-07

Date

Respectfully submitted,



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